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EXAMINER

HOANG, THAI D

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/986,602	<b>Applicant(s)</b> LE ET AL.	
	<b>Examiner</b> Thai D. Hoang	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 March 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 28-38 and 40-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-38, 40-48 and 55 is/are allowed.
- 6) ☒ Claim(s) 49-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

Claim 47 is objected to because of the following informalities: The statement "at least one server entities" recited on line 16 should be changed to --at least one server entity--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

There are insufficient antecedent basis for limitations recited in claims 49-54.

Claim 49: The statements "said request" (line 9), "said communication partner node" (lines 9-10), and "said requesting terminal node" (lines 11-12) found no basic.

Claim 50: The statement "said respective location of said agent entities" (line 9) found no basic.

Claim 51: The statements "said known network address of said communication partner node" (lines 9-10), and "said request" (line 11) found no basic.

Claim 52: The statements "the requesting terminal node" (line 11), and "the communication partner node" (line 13) found no basic.

Claim 53: The statements " the requesting terminal node" (line 9) found no basic.

Claim 54: The statements "said selected agent entity" (line 10), "said communication partner node" (line 12), "the selected agent entity's address" (lines 13-14) found no basic.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 50 and 53 are rejected under 35 U.S.C. 102(e) as being unpatentable by Crosbie, US Patent Application Publication 2002/0085719 A1.

Regarding claim 50, as best understood, Crosbie discloses a Method and system for enabling centralized control of wireless local area networks. Crosbie teaches the system comprises:

a network 20, wherein a roaming server using Bluetooth device address BD\_ADDR (permanent network address), and active member of a piconet address AM\_ADDR (temporary network address). When the system is implemented for an IEEE 802.11 wireless technology, the Crosbie's system using a MAC address (permanent network address), and Association Identifier address AID (temporary network address); paragraph [0049] (at least a first communication network wherein a respective node communicating via said communication network system is identified by its permanent network address and addressable by a temporary network address)

a roaming server 22; see figure 2 (at least one server entity)

a plurality of access points 24s; see figure 2 (a plurality of agent entities)

Crosbie teaches that when the device is roaming, the roaming server 22 directs the access point 24-2 to establish a relationship or connection 30-2 with the subject mobile device 26. The roaming server 22 must have some indication from the access point 24-2 that the mobile device 26 is moving within range of that access point 24-2. It indicates that the roaming server has a record of the plurality of access points and their locations in the network 20, and the access point is derivable based on a network domain to which the access point is assigned, paragraph [0041]. Further, Crosbie disclose a number of mobile devices 26 are limited by the address range within the subnet associated with that access point 24; paragraph [0037] (wherein said respective location of said agent entities is derivable based on a network domain to which the agent entity is assigned, the domain being represented by a network address range in the network.)

Regarding claim 53, as best understood, Crosbie discloses a Method and system for enabling centralized control of wireless local area networks. Crosbie teaches the system comprises:

a network 20, wherein a roaming server using Bluetooth device address BD\_ADDR (permanent network address), and active member of a piconet address AM\_ADDR (temporary network address). When the system is implemented for an IEEE 802.11 wireless technology, the Crosbie's system using a MAC address (permanent network address), and Association Identifier address AID (temporary network address); paragraph [0049] (at least a first communication network wherein a respective node

communicating via said communication network system is identified by its permanent network address and addressable by a temporary network address)

a roaming server 22; see figure 2 (at least one server entity)

a plurality of access points 24s; see figure 2 (a plurality of agent entities)

Crosbie teaches that when the device is roaming, the roaming server 22 directs the access point 24-2 to establish a relationship or connection 30-2 with the subject mobile device 26. The roaming server 22 must have some indication from the access point 24-2 that the mobile device 26 is moving within range of that access point 24-2. It indicates that the roaming server has a record of the plurality of access points and their locations in the network 20; paragraph [0041] (each of said at least one server entity maintains a record of said plurality of agent entities and their location within the network system.) Furthermore, Crosbie teaches that the setup connection between the roamed device, server 22 and access points is performed before establishes a communication between users, see fig.4 step 202 (wherein said terminal node is adapted configured to inform said requesting terminal node about the selected agent entity before communicating messages.)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 49 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crosbie as applied to claims above, in view of Khalil et al, US Patent No. 6,578,085 B1.

Regarding claims 49 and 51, as best understood, Crosbie teaches the system comprises:

a network 20, wherein a roaming server using Bluetooth device address BD\_ADDR (permanent network address), and active member of a piconet address AM\_ADDR (temporary network address). When the system is implemented for an IEEE 802.11 wireless technology, the Crosbie's system using a MAC address (permanent network address), and Association Identifier address AID (temporary network address); paragraph [0049] (at least a first communication network wherein a respective node communicating via said communication network system is identified by its permanent network address and addressable by a temporary network address)

a roaming server 22; see figure 2 (at least one server entity)

a plurality of access points 24s; see figure 2 (a plurality of agent entities)

Crosbie teaches that when the device is roaming, the roaming server 22 directs the access point 24-2 to establish a relationship or connection 30-2 with the subject mobile device 26. The roaming server 22 must have some indication from the access point 24-2 that the mobile device 26 is moving within range of that access point 24-2. It indicates that the roaming server has a record of the plurality of access points and their locations in the network 20; paragraph [0041] (each of said at least one server entity maintains a record of said plurality of agent entities and their location within the network system.)

Crosbie discloses the roamed device send Crosbie does not discloses the request message from the device includes the network address of the communication partner node with which a communication is desired to be performed, the permanent network address of said requesting terminal node, and temporary network address of requesting terminal node by which it is addressable within the communication network system.

However, Khalil discloses these features. Khalil discloses when a mobile node 42 enters a new foreign network 64, it sends (1) a registration request with its new COA to a home agent (HA) 46. The HA 46 then sends (2) a registration reply to the mobile node 42. The HA 46 compares (3) the mobile node's new COA against the old COA via the list 52 (maintained (3) by the HA) that includes the correspondent nodes associated with each mobile node. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt features disclosed by Khalil into Crosbie's system in order to quickly set up an connection between user terminals because the request includes communication partner node address.

***Allowable Subject Matter***

- (a) Claims 28-38, 40-46, 48 and 55 are allowed for reasons given in previous actions.
- (b) Claims 52 and 54 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- (c) Claim 47 is allowed.

Crosbie, US Patent Application Publication 2002/0085719 A1, discloses a Method and system for enabling centralized control of wireless local area networks



Crosbie does not teach or fairly suggest the following features, which are recited the independent claim 47 of the present application:

A communication network system, comprising:

at least a first communication network;

at least one server entity;

a plurality of agent entities, each of said at least one server entities maintains a record of said plurality of agent entities and their respective location within the network system, the system further performs the steps of:

selecting, at said at least one server entity, a specific one of said plurality of agent entities, based on data maintained in said record of said server entity and said temporary network address of said requesting terminal node as recited in claim 47.

### **Response to Arguments**

Applicant's arguments, filed 3/15/2007, with respect to claims 47, 49-54 have been fully considered and are persuasive. The rejection of claims 47, 49-54 has been withdrawn.

### **Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thai Hoang/

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
5/25/08